

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICHOLAS GEORGE,

Plaintiff,

v.

WILLIAM REHIEL, *et. al.*,

Defendants.

No. 2:10-cv-586-EL

**INDIVIDUAL FEDERAL DEFENDANTS'
NOTICE OF APPEAL**


Notice is hereby given that Doe Defendants 1-5, the individual federal defendants in the above-captioned case, appeal to the United States Third Circuit Court of Appeals from the Order of the United States District Court for the Eastern District of Pennsylvania (Doc. #43), signed by the Court and entered on October 28, 2011, ruling on the parties' Motion for Clarification (Doc. #41). Doe Defendants 1-5 previously filed a timely notice of appeal on Nov. 29, 2011, from the Order of the United States District Court for the Eastern District of Pennsylvania (Doc. #40), signed in this action on September 30, 2011, and entered on October 3, 2011, denying their Motion to Dismiss Plaintiff's Constitutional Claims on the grounds of qualified immunity (Doc. #26). *See* Docket No. 11-4292 (3d Cir.). The district court's prior order was a final, appealable order under 28 U.S.C. § 1291 and the collateral order doctrine recognized in *Cohen v. Beneficial Industrial Loan Corp.*, 337 U.S. 541 (1949). *See Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1946 (2009). Insofar as the earlier order, Doc. # 40, is incorporated into the Oct. 28, 2011 order, Doc. #43, Doe Defendants 1-5 also appeal from the earlier order.

Dated: December 16, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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Dated: December 16, 2011

/s/ Paul W. Kaufman
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